

Appl. No. 10/811,444
Amdt. Dated June 2, 2006
Reply to Office Action of March 6, 2006

REMARKS

Drawing Objection Under 37 CFR 1.83 (a)

The drawings are objected under 37 CFR 1.83 (a) for the feature of "offset gate electrode in relation to the carbon nanotube array" in the claims being not shown in the drawings.

Responsive to the objection of drawings under 37 CFR 1.83 (a), Applicants have cancelled claims 5 and 6 without prejudice, thereby rendering moot the objection to the drawings.

Claim Rejection Under 35 U.S.C. 102

Claims 1, 24 and 25 are rejected under 35 U.S.C. 102 (e) as being anticipated by Lee et al. (USPN 6,812,480).

Responsive to the rejection of claims 1, 24 and 25 under U.S.C. 102 (e) as being anticipated by Lee et al. (USPN 6,812,480), Applicants have amended claim 1 and have canceled claims 24 and 25 without prejudice. The rejection of claims 24 and 25 are now moot.

Examiner indicated in the Office Action that claims 17-23 are in the condition for allowance. In particular, the Examiner indicated that an insulative spacer and an intermediate layer as specifically recited in claim 17 is not disclosed or suggested in prior art of the record, for which courtesy Examiner is thanked. In order to be similar to claim 17, Applicants have

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amended claim 1 to add a feature of "an intermediate layer arranged between the gate electrode and the spacer" therein. Accordingly, Applicants submit that claim 1, as amended, is now in condition for allowance, the allowance of which is hereby respectfully requested.

Claim Rejection Under 35 U.S.C. 103(a)

Claims 3 and 5 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lee et al. (USPN 6,812,480).

Claim 5 has been canceled without prejudice, and the rejection to claim 5 is moot now.

Claim 3 depends directly from claim 1, which is in condition for allowance for the reasons set forth above. Accordingly, Applicants submit that claim 3 is now in condition for allowance, the allowance of which is hereby respectfully requested.

Claims 2 and 4 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lee et al. (USPN 6,812,480) in view of Lee et al. (USPN 6,339,281).

Claims 2 and 4 depend directly from claim 1, which is in condition for allowance for the reasons set forth above. Accordingly, Applicants submit that claims 2 and 4 are now in condition for allowance, the allowance of which is hereby respectfully requested.

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Claim Objection

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, for which courtesy the Examiner is thanked.

Claim 6 has been canceled without prejudice in order to overcome the objection to the drawings related thereto.

Allowable Subject Matter

Examiner has indicated that claims 7-23 are in the condition for allowance and that claim 6 would be allowable if rewritten in independent form, for which consideration the Examiner is respectfully thanked. Claims 7-23 remain pending, while claim 6 has been cancelled.

New Claims

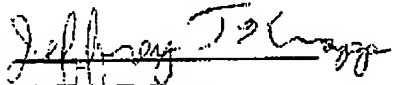
New claims 26 and 27 are provided to further protect the subject matter of the present invention. The subject matter of claim 26 appeared in claims 1 and 7, as originally filed, while claim 27 is similar to original claim 9. Applicant submits that claims 26 and 27 depend from now-allowable claim 1 and, as such, are now in condition for allowance.

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In view of the foregoing, the present application as defined in the pending claims is considered to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,

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